

**Remarks**

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein.

Claims 1-15, 20, 24, 28, 33-44, 49-52 have been cancelled without prejudice.

Claims 21-23, 25-26, 31-32 have been currently amended.

Thus, claims 16-19, 21-23, 25-27, 29-32, 45-48 remain pending.

Allowed Subject Matter

Claims 16-19 and 45-48 have been allowed.

Claim 25 was deemed allowable in the March 1, 2004 Office Action if rewritten in independent form. Claim 25 was rewritten as requested but an unfortunate clerical error was noted by the Examiner. Claim 25 has been appropriately corrected and thus is now in condition for allowance. The Examiner is thanked for noting the error.

Originally filed claim 31 was also objected but deemed allowable in the March 1, 2004 Office Action if rewritten into independent form. Claim 31 has been so rewritten and is now in condition for allowance.

Claims 21-23 and 26 have been amended to depend from allowable claim 25.

Claim 25 has been amended to remove an extra "and."

Claim 32 has been amended to depend from allowable claim 31.

Claims 45-48 remain unchanged.

Rejected Subject Matter

Claims 2 and 41 stand rejected under 35 U.S.C. §112 first paragraph. Claims 1-3, 40, 41 stand rejected under 35 U.S.C. §103(a) as being obvious over Wiser (U.S. Patent No. 6,385,596) and taking official notice regarding certain characteristics of packaged CD's.

Claims 4-10, 12-15, 42-44 stand rejected under 35 U.S.C. §103 as being obvious over Wiser further again in view of official notice regarding certain characteristics of packaged CD's.

Claim 11 stands rejected under 35 U.S.C. §103 as being obvious over Wiser, official notice regarding certain characteristics of packaged CD's, and Goddard (U.S. Patent No. 6,684,240).

Claims 20-24, 26-27 stand rejected under 35 U.S.C. §103 as being obvious over Spagna (U.S. Patent No. 6,587,837) in view of official notice regarding compliance of digital content with a receiver policy.

In order to facilitate passage to issuance of the allowed and allowable claims 16-19, 21-23, 25-27, 29-32, 45-48, the above rejections have not been substantively reviewed at this time. In particular, characterization of documents relied upon by the Office and details of official notices taken by the Office have not been substantively reviewed. Instead, claims 1-15, 20, 24, 28, 33-44, 49-52 have been cancelled without prejudice so that the allowed and allowable claims may pass to issuance.

However, Applicants reserve the right to pursue the rejected subject matter and cancelled claims in a continuing filing that substantively addresses the Office's claim rejections presented in the current and previous Office Action.

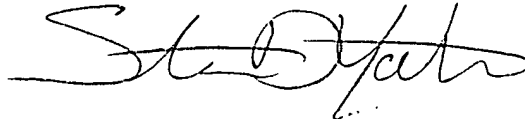
Conclusion

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 16-19, 21-23, 25-27, 29-32, 45-48 are in condition for allowance and such action is earnestly solicited. **The Examiner is respectfully requested to contact the undersigned by telephone if the foregoing does not put all active claims in condition for allowance.**

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

Date: March 14, 2005



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